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MAR 01 2010

In re Patent No. 7,455,264 :
Sean Wakayama : LETTER REGARDING
Issue Date: November 25, 2008: PATENT TERM ADJUSTMENT
Application No. 08/917,480 : and
Filed: August 26, 1997 : NOTICE OF INTENT TO ISSUE
Atty Docket No. 038190/291118 : CERTIFICATE OF CORRECTION

This is in response to the Request for a Certificate of Correction filed April 20, 2009.

The request is **GRANTED**.

On November 25, 2008, application No. 08/917,480 matured into U.S. Patent No. 7,455,264, with a Patent Term Adjustment of 1826 days. This was incorrect. At the time of the mailing of the Notice of Allowance, the patent term adjustment (PTA) under 35 U.S.C. 154(b) to date was 2099 days. There were no further Office or applicant delays after the mailing of the notice of allowance. On November 5, 2008, the Office mailed a Determination of Patent Term Adjustment under 35 U.S.C. 154(b) stating that the patent would issue with a patent term adjustment of 2099 days. Further, the PALM and PAIR system both indicated that the correct PTA was 2099 days. However, due to printing error, the patent issued with an incorrect PTA. Accordingly, issuance of a certificate of correction pursuant to 35 U.S.C. 254 and 37 CFR § 1.322 is appropriate.

No fee is required and none has been charged.

Patentees are advised that if they were contesting the specific administrative delays granted applicants or the specific

reductions for applicants' failure to engage in reasonable efforts to conclude processing or examination of the application, then such request must be timely filed under 37 CFR § 1.705(b) or (d), as appropriate.

The application file is being forwarded to the Certificates of Correction Branch for issuance of a certificate of correction in order to rectify the error regarding the patent term information. The certificate of correction will indicate that the term of the above-identified patent is extended or adjusted by TWO THOUSAND NINETY-NINE (2099) days subject to any disclaimers.

Telephone inquiries specific to this matter should be directed to Nancy Johnson, Senior Petitions Attorney, at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson", with a long horizontal line extending to the right.

Nancy Johnson
Senior Petitions Attorney
Office of Petitions

Enclosure: Copy of Draft Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,455,264 B2

DATED : November 25, 2008

DRAFT

INVENTOR(S) : Wakayama

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 1826 days

Delete the phrase "by 1826 days" and insert – by 2099 days--